

IN RE: PETITIONS FOR SPECIAL EXCEPTION * BEFORE THE
AND VARIANCE - S/S St. Paul Road, *
1,000'W of the c/l Springdale Road * DEPUTY ZONING COMMISSIONER
(5010 St. Paul Road) *
6th Election District * OF BALTIMORE COUNTY
3rd Councilmanic District * Case No. 97-232-XA

St. Paul's United Brethren Church
Petitioner * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter came before the Deputy Zoning Commissioner as Petitions for Special Exception and Variance for an existing church on the subject property and proposed improvements thereto at a hearing held on January 8, 1997. The Petitioners requested a special exception for the existing church, which was built in approximately 1848, and variance relief from Sections 1A01.3.B.3 and 301.1.A of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a lot line setback of 16 feet in lieu of the required 26.25 feet for a proposed open portico, a lot line setback of 28 feet in lieu of the required 35 feet for a proposed sanctuary, and a street centerline setback of 40 feet in lieu of the required 75 feet for the existing church, in accordance with the site plan submitted into evidence as Petitioner's Exhibit 1.

The relief requested was granted by Order issued January 31, 1997. Subsequent to the issuance of that Order, Counsel for the Petitioner advised this Deputy Zoning Commissioner that the Petitioner wished to add a restriction to the Order in response to some issues which had been raised at the hearing by adjacent property owners, namely, Richard I. McLean and Earl Gill. Specifically, an issue arose concerning the private drive on the subject property, which extends across the Baltimore County line into Carroll County. These neighbors are concerned that there might be a future expansion of this road to accommodate future development in Carroll County.

ORDER RECEIVED FOR FILING

Date

By

MICROFILMED

After further discussions between the parties, the Petitioners agreed to add a restriction to the Order addressing these concerns. By letter dated February 11, 1997 from Counsel for the Petitioner, I have been asked to amend my previous Order to incorporate this restriction.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 14th day of February, 1997 that the Order issued January 31, 1997 in the above-captioned matter, be and the same shall hereby be AMENDED to add the following restrictions:

2) The Petitioners have agreed, in good faith, to cooperate with adjacent property owners, Richard I. McLean and Earl Gill to address the following issues:

a) Executing a Reciprocal Agreement concerning the access, maintenance, and any other relevant issues as to the private drive shown on Petitioner's Exhibit 1.

b) The parties agree to use their best efforts to oppose any future expansion of the existing private road to any future development, residential or commercial, in Carroll County, which would claim access of the private gravel road.

3) When applying for any permits, the site plan and/or landscaping plan filed must reference this case and set forth and address the restrictions of this Order.

IT IS FURTHER ORDERED that all other terms and conditions of the Order issued January 31, 1997 shall remain in full force and effect.


TIMOTHY M. KOTROCO

Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: David K. Gildea, Esquire, Whiteford, Taylor & Preston
210 W. Pennsylvania Avenue, Towson, Maryland 21204

Mr. Michael F. Kramer, P.O. Box 271, Monkton, Md. 21111
Pastor David Burk, Rd.5, Box 5752, Spring Grove, Pa. 17362
Mr. Wesley D. Burton, 901 Old Barn Road, Parkton, Md. 21120
Mr. Richard McLean, 3930 St. Pauls Road, Millers, Md. 21107
Mr. Jeffrey Lees, Landmarks Preservation Commission
706 Dunkirk Road, Baltimore, Md. 21212

Mr. John McGrain, OP; People's Counsel; Case File

RECEIVED
2/14/97
Case File

IN RE: PETITIONS FOR SPECIAL EXCEPTION * BEFORE THE
AND VARIANCE - S/S St. Paul Road, *
1,000'W of the c/l Springdale Road * DEPUTY ZONING COMMISSIONER
(5010 St. Paul Road) *
6th Election District * OF BALTIMORE COUNTY
3rd Councilmanic District *

St. Paul's United Brethren Church *
Petitioner *

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as Petitions for Special Exception and Variance for that property known as 5010 St. Paul Road, located in the vicinity of the Baltimore County/Carroll County line and Gunpowder Road in Millers. The Petitions were filed by the owner of the property, St. Paul's United Brethren Church, through its representative, Michael Kramer. The Petitioners seek a special exception for a church at the subject location, and a variance from Sections 1A01.3. B.3 and 301.1.A of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a lot line setback of 16 feet in lieu of the required 26.25 feet for an open portico, a lot line setback of 28 feet in lieu of the required 35 feet for a proposed sanctuary, and a street centerline setback of 40 feet in lieu of the required 75 feet for the existing church building. The subject property and relief sought are more particularly described on the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit 1.

Appearing at the hearing on behalf of the Petitions were Michael Kramer, a representative of the Church, and David K. Gildea, Esquire, attorney for the Petitioner. Numerous members of the congregation appeared on behalf of the Petitions, all of whom signed the Petitioners Sign-In Sheet. Also appearing on behalf of the Petitions was Jeffrey Lees, a

ORDER RECEIVED FOR FILING

Date

By

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representative of the Landmarks Preservation Commission. Appearing as a Protestant in the matter was Richard McLean.

Testimony and evidence offered revealed that the subject property consists of 2.85 acres, more or less, zoned R.C.2 and is improved with a stone church of 1,440 sq.ft., which was built in approximately 1848. The property is located on St. Paul's Road at the Baltimore County/Carroll County line. In fact, a small triangular portion of the subject property is located in Carroll County. However, all of the existing improvements as well as those proposed, will be located in Baltimore County. Testimony revealed that the congregation of St. Paul's United Brethren Church has grown over the years since the Church has existed on the property and the parishioners now wish to expand the existing facilities to provide additional services for the Church membership. As shown on the site plan, the Petitioners propose the addition of a 1520 sq.ft. sanctuary, a 1200 sq.ft. Narthex addition, and a 6,000 sq.ft. fellowship hall. A large accessory parking area is also proposed.

Pastor David Burk testified that prior to the use of the subject property by the St. Paul's United Brethren Church, a Methodist Church operated on the premises until it closed in 1990. He testified that he became Pastor of the Church approximately five years ago, at which time the membership consisted of roughly 12 individuals. His fellowship has grown to approximately 200 congregates and has simply outgrown this small, country Church, which does not have indoor bathroom facilities. One of the photographs of the Church depicts a port-a-pot located to the rear of the property which is used by the congregation, when necessary. The proposed improvements include plans for indoor bathroom facilities, will

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11/31/99
Date

make the property ADA (American Disabilities Act) accessible, and will provide much needed space for this growing congregation.

Mr. Wes Burton, Architect, appeared and testified on behalf of the Petitioner. Mr. Burton designed the proposed improvements to incorporate the existing Church building, taking into consideration the needs of the congregation and maintaining the architectural integrity of this historical church.

However, representatives of the Landmarks Preservation Commission who attended the hearing indicated that in their opinion, the proposed development is out of scale with the existing Church and overwhelms the subject site. They believe the Petitioner should limit the scope of the proposed improvements so as not to detract from the historical character of the Church.

Mr. Richard McLean, a nearby property owner, appeared out of concern over the proposed project in general. He testified that when the property was posted with the hearing notice, the information contained thereon was unclear as to the plans for the subject site. After hearing the testimony and reviewing the evidence presented, Mr. McLean indicated that he was not opposed to the Petitioner's plan and had no objections to the relief requested.

It is clear that the B.C.Z.R. permits the use proposed in a R.C.2 zone by special exception. It is equally clear that the proposed use would not be detrimental to the primary uses in the vicinity. Therefore, it must be determined if the conditions as delineated in Section 502.1 are satisfied.

The Petitioner had the burden of adducing testimony and evidence which would show that the proposed use met the prescribed standards and

ORDER RECEIVED FOR FILING

Date

By

requirements set forth in Section 502.1 of the B.C.Z.R. The Petitioner has shown that the proposed use would be conducted without real detriment to the neighborhood and would not adversely affect the public interest. The facts and circumstances do not show that the proposed use at the particular location described by Petitioner's Exhibit 1 would have any adverse impact above and beyond that inherently associated with such a special exception use, irrespective of its location within the zone. Schultz v. Pritts, 432 A.2d 1319 (1981).

The proposed use will not be detrimental to the health, safety, or general welfare of the locality, nor tend to create congestion in roads, streets, or alleys therein, nor be inconsistent with the purposes of the property's zoning classification, nor in any other way be inconsistent with the spirit and intent of the B.C.Z.R.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether a grant of the variance would do a substantial justice to the applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give sufficient relief; and,
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

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11/3/77
Date
By

After reviewing the plans and elevation drawings for the proposed expansion, as well as taking into consideration the testimony of Pastor Burk, Mr. Burton, and the representatives of the Landmarks Preservation Commission, I find that the relief requested is appropriate and should be granted. In my opinion, the proposed improvements have been designed to preserve the historical integrity of St. Paul's Church, while at the same time, meet the needs of this growing congregation. Moreover, it has been established that special circumstances or conditions exist that are peculiar to the subject property and that the requirements from which the Petitioner seeks relief will unduly restrict the use of the land due to the special conditions unique to this particular parcel. The relief requested will not cause any injury to the public health, safety or general welfare, and meets the spirit and intent of the B.C.Z.R.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the special exception and variance relief should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 31st day of January, 1997 that the Petition for Special Exception for a church at the subject location, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED; and,

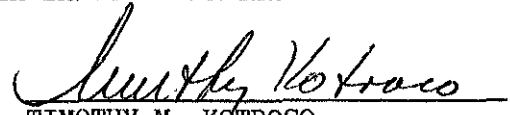
IT IS FURTHER ORDERED that the Petition for Variance seeking relief from Sections 1A01.3.B.3 and 301.1.A of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a lot line setback of 16 feet in lieu of the required 26.25 feet for an open portico, a lot line setback of 28 feet in lieu of the required 35 feet for a proposed sanctuary, and a street centerline setback of 40 feet in lieu of the required 75 feet for the

ORDER RECEIVED FOR FILING
Date 1/31/97
By [Signature]

RECEIVED

existing church building, in accordance with Petitioner's Exhibit 1, be
and is hereby GRANTED, subject to the following restriction:

1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.


TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

ORDER FILED
Date 11/3/99
By [Signature]



Baltimore County
Zoning Commissioner
Office of Planning and Zoning

Suite 112, Courthouse
400 Washington Avenue
Towson, Maryland 21204
(410) 887-4386

January 31, 1997

David K. Gildea, Esquire
Whiteford, Taylor & Preston
210 W. Pennsylvania Avenue
Towson, Maryland 21204

RE: PETITIONS FOR SPECIAL EXCEPTION and VARIANCE
S/S St. Paul Road, 1,000' W of the c/l Springdale Road
(5010 St. Paul Road)
6th Election District - 3rd Councilmanic District
St. Paul's United Brethren Church - Petitioner
Case No. 97-232-XA

Dear Mr. Gildea:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petitions for Special Exception and Variance have been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

A handwritten signature in cursive script, reading "Timothy Kotroco".

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Mr. Michael F. Kramer, P.O. Box 271, Monkton, Md. 21111
Pastor David Burk, Rd.5, Box 5752, Spring Grove, Pa. 17362
Mr. Wesley D. Burton, 901 Old Barn Road, Parkton, Md. 21120
Mr. Richard McLean, 3930 St. Pauls Road, Millers, Md. 21107

Mr. Jeffrey Lees, Landmarks Preservation Commission
706 Dunkirk Road, Baltimore, Md. 21212

Mr. John McGrain, OP
People's Counsel; Case File

MICROFILMED



Petition for Special Exception

to the Zoning Commissioner of Baltimore County

for the property located at 5010 St. Paul Road, Millers, Md. 21107
which is presently zoned RC - 2

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Exception under the Zoning Regulations of Baltimore County, to use the

A Church

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Special Exception advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Lessee:

(Type or Print Name)

Signature

Address

City

State

Zipcode

Attorney for Petitioner:

(Type or Print Name)

Signature

Address

Phone No.

State

Zipcode

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Legal Owner(s):

St. Paul's United Brethren Church
Michael K. Kramer, Representative

(Type or Print Name)

Signature

Michael K. Kramer

(Type or Print Name)

Signature

Address

Phone No.

City

State

Zipcode

Name, Address and phone number of representative to be contacted.

Michael K. Kramer

Name

P.O. Box 271 Monkton, Md. 329-6051

Address

Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

2-3 hr

the following dates

Next Two Months

ALL

OTHER

REVIEWED BY:

DATE 11/26/96

Schedule after Jan 1

ORDER PROCESSED FOR FILING

Date

By

MICROFILMED





Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 5010 St. Paul Road, Millers, Md. 21107

which is presently zoned RC -2

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s)

1401.3 B.3 and 301.1A to permit a 16ft lot line setback for an open portico, a 28ft lot line setback and a 40ft street centerline setback for an enclosed church building in lieu of 26.25ft, 35ft, and 75ft respectively; and 409.8. A.2 to permit a gravel parking surface in lieu of durable dustless.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)

See Attached To be determined at hearing

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

(Type or Print Name)

Signature

Address

City

State

Zipcode

Attorney for Petitioner:

(Type or Print Name)

Signature

Address

Phone No.

City

State

Zipcode

Legal Owner(s):

St. Paul's United Brethren Church
Michael K. Kramer, Representative

(Type or Print Name)

Signature

(Type or Print Name)

Signature

Address

Phone No

City

State

Zipcode

Name, Address and phone number of representative to be contacted.

Michael K. Kramer

Name

P.O. Box 271 Monkton, Md. 329-6051

Address

Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates

Next Two Months

ALL

OTHER

REVIEWED BY:

DATE

11/26/86

Schick After Jan 1

ORDER RECEIVED FOR FILING

Date

By

Printed with Soybean Ink
on Recycled Paper



UNRECORDED

Vitti & Associates, Inc.

Engineering & Surveying
P.O. Box 276 • Lutherville, Maryland 21093
(410) 668-0466

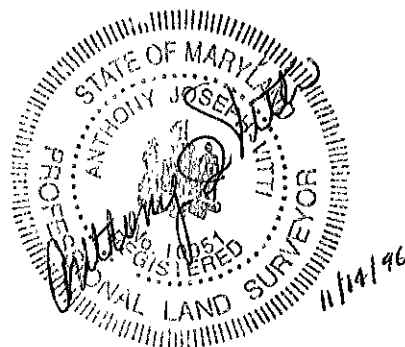
Zoning Description
To Accompany Petition for
Special Exception and Variance
St. Paul's United Brethren Church in Christ
2.85 Acre Parcel of Land
6th Election District
Baltimore County, Maryland

Beginning at a point on the South side of St. Paul's Road at the intersection of Stone Lane, a private road, at a distance of 1000 feet West of the centerline of Springdale Road. Thence for the following courses and distances:

- 1) North 45 Degrees 18 Minutes 41 Seconds West, 437.13 feet
- 2) North 50 Degrees 11 Minutes 19 Seconds East, 386.37 feet
- 3) South 39 Degrees 48 Minutes 41 Seconds East, 232.21 feet
- 4) South 19 Degrees 41 Minutes 13 Seconds West, 399.80 feet to the place of beginning.

Consisting of two parcels of ground as recorded in deeds S911/826 and 9370/510, and containing 2.85 acres of land, more or less.

This deed has been prepared for Zoning purposes only and is not intended to be used for conveyance.



BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 029925

DATE 11/26/96 ACCOUNT 01-615
Item: 232
By: MDX
AMOUNT \$ 550.00

RECEIVED FROM: St. Paul's United Brethren - 5610 St. Paul Rd.
Church in Christ
020m Comm. Voucher - \$ 250.00
030 Sp. Excursion - \$ 300.00
FOR: \$ 550.00

MICROFILMED

0307150044MCHRC

PA 1011-10411-23 96

\$550.00

DISTRIBUTION
WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

VALIDATION OR SIGNATURE OF CASHIER

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the

property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

Case: #97-232-XA

(Item 232)

5010 St. Paul Road

335 St. Paul's Road, 1000'

W of St. Springdale Road

6th Election District

3rd Councilmanic

Legal Owner(s):

St. Paul's United Brethren

Church

Special Exception: for a church. **Variance:** to permit a 16 foot lot line setback for an open porfco, a 28 foot lot line setback and a 40 foot street centerline setback for an enclosed church building in lieu of 28.25 feet, 35 feet, and 75 feet, respectively, and to permit a gravel parking surface in lieu of durable business.

Hearing: Wednesday, January 8, 1997 at 10:00 a.m. in Rm. 106, County Office Building.

LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

NOTES: (1) Hearings are Handicapped Accessible, for special accommodations Please Call 887-3353.
(2) For information concerning the file and/or Hearing, Please Call 887-3391.

12/18/90 Dec. 19

C107623

CERTIFICATE OF PUBLICATION

TOWSON, MD., 12/19, 1996

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 12/19, 1996.

THE JEFFERSONIAN,

A. H. *Amick*
LEGAL AD. - TOWSON

12/19/96 11:30 AM

CERTIFICATE OF POSTING

RE: Case No.: 97-232-XA

Petitioner/Developer: ZION CHURCH, ETAL

Date of Hearing/Closing: 1/8/97

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, MD 21204

Attention: Ms. Gwendolyn Stephens

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law
were posted conspicuously on the property located at #5010 ST. PAUL RD.

The sign(s) were posted on

12 / 23 / 96
(Month, Day, Year)

Sincerely,

Patrick M. O'Keefe 12/26/96
(Signature of Sign Poster and Date)

Patrick M. O'Keefe

(Printed Name)

523 Penny Lane

(Address)

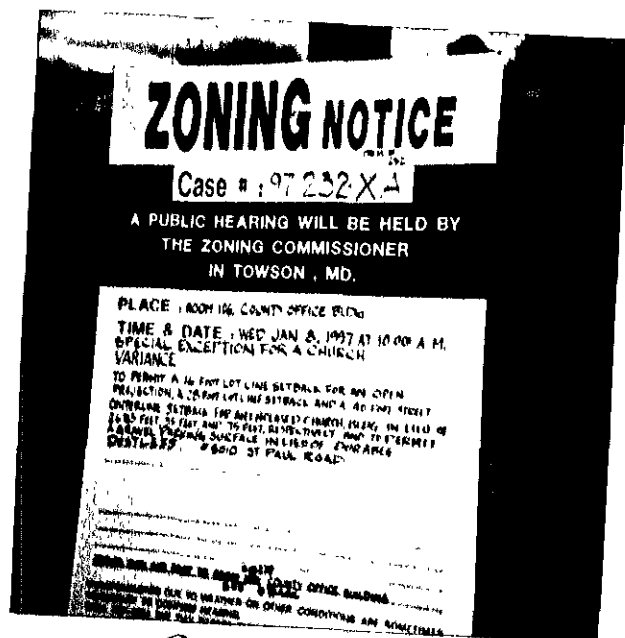
Hunt Valley, MD 21030

(City, State, Zip Code)

(410) 666-5366

(Telephone Number)

Pager (410) 646-8354



97-232-XA
#5010 ST. PAUL RD.

MICROFILMED

Request for Zoning: Variance, Special Exception, or Special Hearing

Date to be Posted: Anytime before but no later than _____.

Format for Sign Printing, Black Letters on White Background:

ZONING NOTICE

Case No.: _____

A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMMISSIONER
IN TOWSON, MD

PLACE: _____

DATE AND TIME: _____

REQUEST: special exception for a church and to permit
a 16 ft lot line setback for an open portico, a 28 ft lot line setback
and a 40 ft street centerline setback for an enclosed church building
in lieu of 26, 25 ft, 35 ft, and 75 ft, respectively, and to permit a
gravel parking surface in lieu of durable dentlers

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY.
TO CONFIRM HEARING CALL 887-3391.

DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING UNDER PENALTY OF LAW

HANDICAPPED ACCESSIBLE

TO: PUTUMENT PUBLISHING COMPANY
December 19, 1996 Issue - Jeffersonian

Please forward billing to:

Michael K. Kramer
P. O. Box 271
Monkton, MD 21111
329-6051

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in
Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204
or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 97-232-XA (Item 232)
5010 St. Paul Road
S/S St. Paul's Road, 1000' W of c/l Springdale Road
6th Election District - 3rd Councilmanic
Legal Owner(s): St. Paul's United Brethren Church

Special Exception for a church.

Variance to permit a 16 foot lot line setback for an open portico, a 28 foot lot line setback and a 40 foot street centerline setback for an enclosed church building in lieu of 26.25 feet, 35 feet, and 75 feet, respectively, and to permit a gravel parking surface in lieu of durable dustless.

HEARING: WEDNESDAY, JANUARY 8, 1997 at 10:00 a.m. in Room 106, County Office Building.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

MICROFILMED



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

December 13, 1996

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204
or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 97-232-XA (Item 232)
5010 St. Paul Road
S/S St. Paul's Road, 1000' W of c/l Springdale Road
6th Election District - 3rd Councilmanic
Legal Owner(s): St. Paul's United Brethren Church

Special Exception for a church.

Variance to permit a 16 foot lot line setback for an open portico, a 28 foot lot line setback and a 40 foot street centerline setback for an enclosed church building in lieu of 26.25 feet, 35 feet, and 75 feet, respectively, and to permit a gravel parking surface in lieu of durable dustless.

HEARING: WEDNESDAY, JANUARY 8, 1997 at 10:00 a.m. in Room 106, County Office Building.

A handwritten signature in cursive script, appearing to read "Arnold Jablon".

Arnold Jablon
Director

cc: Michael K. Kramer

- NOTES: (1) YOU MUST HAVE THE ZONING NOTICE SIGN POSTED ON THE PROPERTY BY DECEMBER 23, 1996.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.





Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

January 6, 1997

Mr. Michael K. Kramer
St. Paul's United Brethren Church
P.O. Box 271
Monkton, MD 21107

RE: Item No.: 232
Case No.: 97-232-XA
Petitioner: Michael K. Kramer

Dear Mr. Kramer:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on November 26, 1996.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Roslyn Eubanks in the zoning office (887-3391).

Sincerely,

A handwritten signature in black ink, reading "W. Carl Richards, Jr." in a cursive style.

W. Carl Richards, Jr.
Zoning Supervisor

WCR/re
Attachment(s)

MICROFILMED



BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: PDM

DATE: Dec 9, 96

FROM: R. Bruce Seeley
Permits and Development Review
DEPRM

SUBJECT: Zoning Advisory Committee
Meeting Date: Dec 9, 96

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s: # 232

RBS:sp

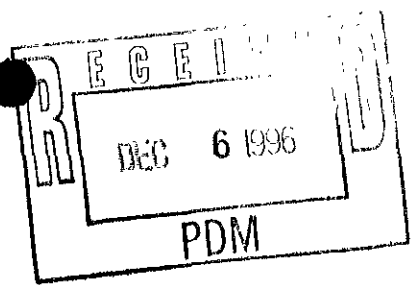
BRUCE2/DEPRM/TXTSBP

MICROFILMED

Baltimore County Government
Fire Department



700 East Joppa Road
Towson, MD 21286-5500



Office of the Fire Marshal
(410)887-4880

DATE: 12/05/96

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: ST. PAUL UNITED BRETHREN CHURCH

Location: S/S ST. PAUL RD. 1000' W OF CENTERLINE SPRINGDALE RD.
(5010 ST. PAUL RD. - ST. PAULS UNITED BRETHREN CHURCH)

Item No.: 232

Zoning Agenda:SPECIAL EXCEPTION/VARIANCE

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1991 edition prior to occupancy.

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File



Printed with Soybean Ink
on Recycled Paper



Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary
Parker F. Williams
Administrator

Ms. Roslyn Eubanks
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County 12-13-94
Item No. 232 (MJK)

Dear Ms. Eubanks:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Larry Gredlein at 410-545-5606 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

for Ronald Burns, Chief
Engineering Access Permits
Division

LG

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

MICROFILMED

BALTIMORE COUNTY, MARYLAND

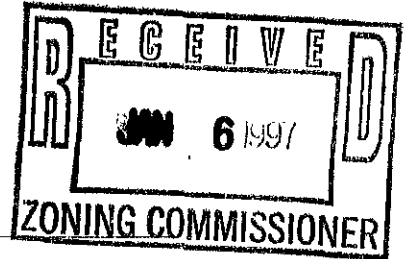
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Permits and Development Management

DATE: January 6, 1997

FROM: Arnold F. 'Pat' Keller, III, Director
Office of Planning

SUBJECT: 5010 St. Paul Road



INFORMATION:

Item Number: 232
Petitioner: St. Paul's United Brethren Church
Property Size: _____
Zoning: RC-2
Requested Action: _____
Hearing Date: / /

SUMMARY OF RECOMMENDATIONS:

This office has contacted the petitioner's attorney, Mr. David Gildea, to inform him that the Landmarks Preservation Commission will be forwarding comments to the Zoning Commissioner regarding this project.

Prepared by: Jeffrey W. Long

Division Chief: Gary L. Kerns

AFK/JWL:vjc

PETITION PROBLEMS

#232 --- MJK

1. No zip code for legal owner.
2. Need authorization for person to sign for legal owner.

RE: PETITION FOR SPECIAL EXCEPTION	*	BEFORE THE
PETITION FOR VARIANCE		
5010 St. Paul Road, S/S St. Paul's Road,	*	ZONING COMMISSIONER
1000' W of c/l Springdale Road		
6th Election District, 3rd Councilmanic	*	OF BALTIMORE COUNTY
St. Paul's United Brethren Church	*	CASE NO. 97-232-XA
Petitioner		
* * * * *		

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or , final Order.

Peter Max Zimmerman
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio
CAROLE S. DEMILIO
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 6th day of January, 1997, a copy of the foregoing Entry of Appearance was mailed to Michael K. Kramer, P. O. Box 271, Monkton, MD 21111, representative for Petitioners.

Peter Max Zimmerman
PETER MAX ZIMMERMAN

WHITEFORD, TAYLOR & PRESTON
L.L.P.

SEVEN SAINT PAUL STREET
BALTIMORE, MARYLAND 21202-1626
TELEPHONE 410 347-8700
FAX 410 752-7092

210 WEST PENNSYLVANIA AVENUE
TOWSON, MARYLAND 21204-4515

410 832-2000
FAX 410 832-2015

1025 CONNECTICUT AVENUE, NW
WASHINGTON, D.C. 20036-5405
TELEPHONE 202 659-6800
FAX 202 351-0573

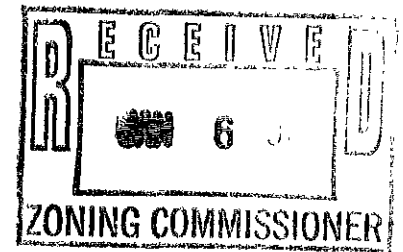
30 COLUMBIA CORPORATE CENTER
10110 LITTLE PATUXENT PARKWAY
COLUMBIA, MARYLAND 21044
TELEPHONE 410 884-0700
FAX 410 884-0719

1517 KING STREET
ALEXANDRIA, VIRGINIA 22314-2928
TELEPHONE 703 836-5742
FAX 703 836-0265

DAVID K. GILDEA

DIRECT NUMBER
410 832-2066
2029539@mcimail.com

January 6, 1997



Via Hand Delivery

Zoning Commissioner Schmidt
County Office Building
111W. Chesapeake Avenue
Towson, Maryland 21204

Re: 5010 St. Paul Road
Petition for Special Exception and Variance
Case No.: 97-232-XA (Item 232)
Our File: 05397/00001

Dear Zoning Commissioner Schmidt:

Please enter the appearance of David K. Gildea and Whiteford, Taylor & Preston on behalf of the Petitioner, St. Paul's United Brethren Church, for the above-referenced matter.

Very truly yours,

David K. Gildea
David K. Gildea

DKG:dmk

cc: Michael K. Kramer
Tony Vitti

96436

MICROFILMED

SEVEN SAINT PAUL STREET
BALTIMORE, MARYLAND 21202-1626
TELEPHONE 410 547-8700
FAX 410 752-7092

30 COLUMBIA CORPORATE CENTER
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1317 KING STREET
ALEXANDRIA, VIRGINIA 22314-2928
TELEPHONE 703 836-5742
FAX 703 836-0265

February 11
January 10, 1997

Via Hand Delivery

Timothy M. Kotroco
Deputy Zoning Commissioner
for Baltimore County
400 Washington Avenue
Towson, Maryland 21204

**Re: Special Exception and Variance for
St. Paul's United Brethren Church
Zoning Commissioner's Opinion and Order
Our File: 05397/00001**

Dear Deputy Zoning Commissioner Kotroco:

Below please find the conditions agreed to by the parties for approval of the Petitions for Special Exception and Variance in the above-referenced matter.

Should you have any questions or comments, please contact me.

"The Petitioner, St. Paul's United Brethren Church shall in good faith cooperate with adjacent property owners, Richard I. McLean and Earl Gill in addressing the following issues:

(a) Executing a Reciprocal Agreement concerning the access, maintenance, and any other relevant issues concerning the private drive shown on Petitioner's Exhibit 1 (Plat to accompany Zoning Petition for Special Exception and Variance Hearing for St. Paul's United Brethren Church in Christ).

MICROFILMED

Timothy M. Kotroco
Deputy Zoning Commissioner
January 10, 1997
Page 2

(b) The parties agree to use their best efforts to oppose any future expansion of the existing private road to any future development, residential or commercial, in Carroll County which would claim access of the private gravel road."

Very truly yours,

David K. Gildea

DKG:dmk

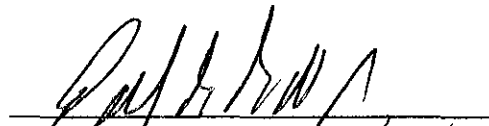
SIGNED AND AGREED TO IN FORM, CONTENT AND SUBSTANCE.

THIS 2nd DAY OF February, 1997.

ST. PAUL'S UNITED BRETHREN CHURCH
IN CHRIST

By: Donald B. Klineclint, Treas.


Richard I. McLean


Earl Gill
EM 6. EM 1, 31

80850

(MICROFILMED)

PLEASE PRINT CLEARLY

PROTESTANT(S) SIGN-IN SHEET

NAME

ADDRESS

RICHARD MCLEAN

3930 St. Pauls Rd
Millers MD 21107



MICROFILMED

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

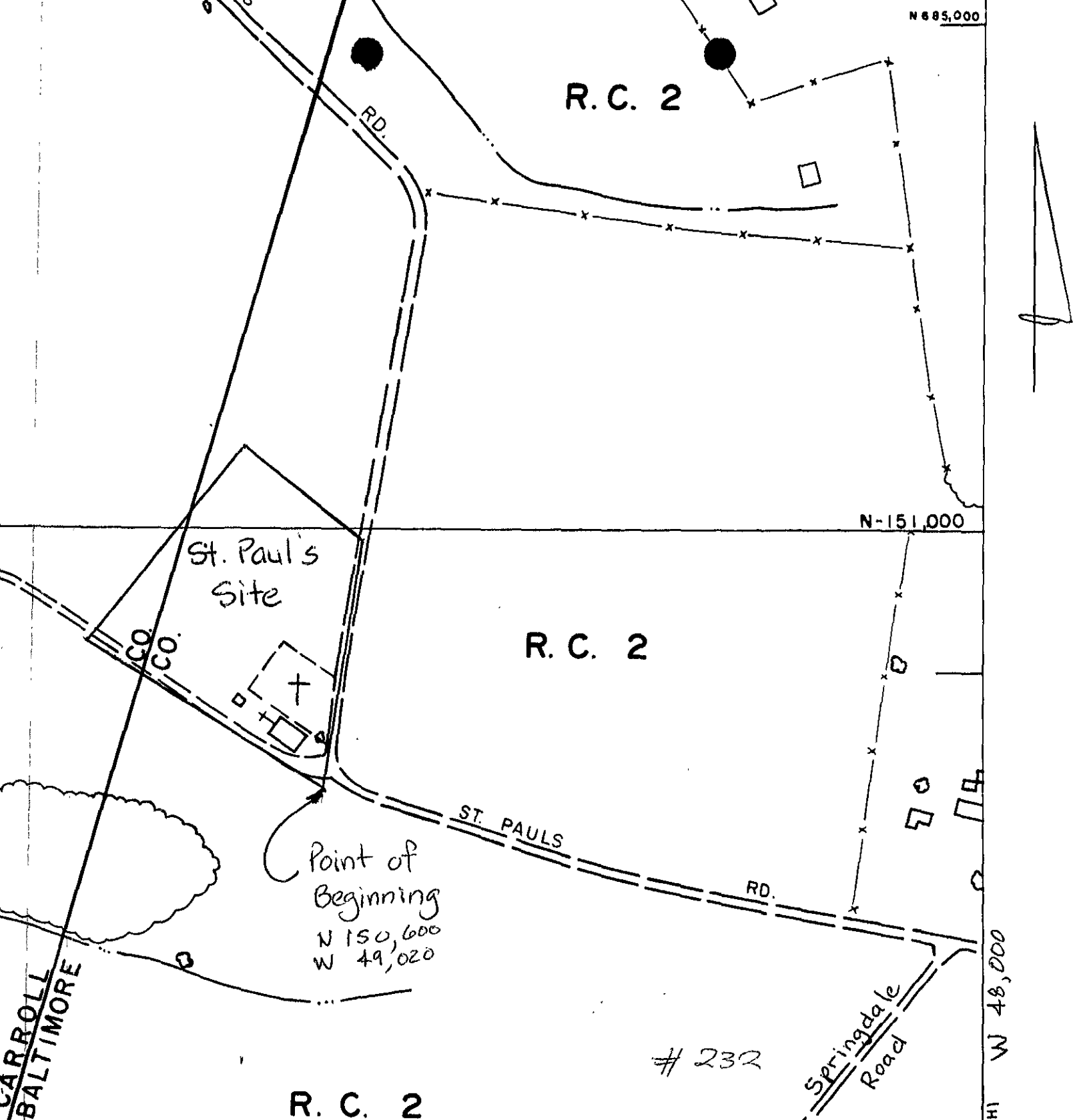
NAME

ADDRESS

MICHAEL KRAMER	ST. PAUL'S CHURCH
* RICHARD MCLEAN	3930 St. Pauls Rd 21107
WESLEY D. BURTON	901 OLDBARN RD PARKTON, MD 21120
Jeffrey Lees	LPC/ 706 DUNKIRK RD 21212
JOHN Mc GRATH	LAC, Off. of Planning
Tony Vihi	P.O. Box 276 Lutherville, Md. 21093
RONALD HAMMOND	2210 DALEWOOD RD. LUTHERVILLE MD 21089
Charlotte Klineclinst	30 S. Constitution Ave Near Freedom PA 17349
DORIS COX	RD3 Box 165-44 Glen Rock PA 17327
CHARLES KIGHT	21501 GUNPOWDER RD. MANCHESTER MD 21102
Rev. David W. Burk - Pastor	ST. PAULS RD 5, Box 5752 Spring Grove PA 17362
RICHARD PENN	20715 KEENEY MILL RD.
Richard Cox	FREELAND, MD. 21053
Debra Kramer	1600 Walker Rd.
GLADYS SHECKELLS	Freeland Md. 21053
Tom Sheckells	1010 Old Barn Rd.
REBECCA WATKINS	Parkton, MD 21120
EARLINE NEAL	21124 SLAB BRIDGE RD.
Edgar P. Neal	FREELAND, MD. 21053
DONALD B. WERTZ	1607 Freeland Rd.
Ylona Cox	Freeland, Md. 21053
Gary D. Baker	481 Westfield Dr Hampstead MA 21076
Maurice Galt	1932 Bulls Sawmill Rd
THOMAS J WERTZ	Freeland, MD 21053
RUTH WERTZ	2309 Bulls Saw Mill Rd
Virginia A. Wilson	Freeland, MD 21053
	2208 Bull Sawmill Rd
	FREELAND MD
	3220 JUNEAU Pl. Balt. MD 21214
	3220 JUNEAU Pl. BALTO. MD. 21214
	4111 Rupp Rd millers md
	MICROFILMED 71 Rupp Rd. millers, MD. 21102



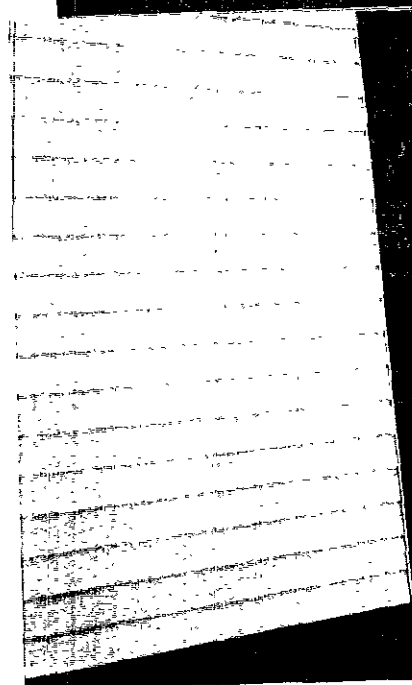
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on Recycled Paper

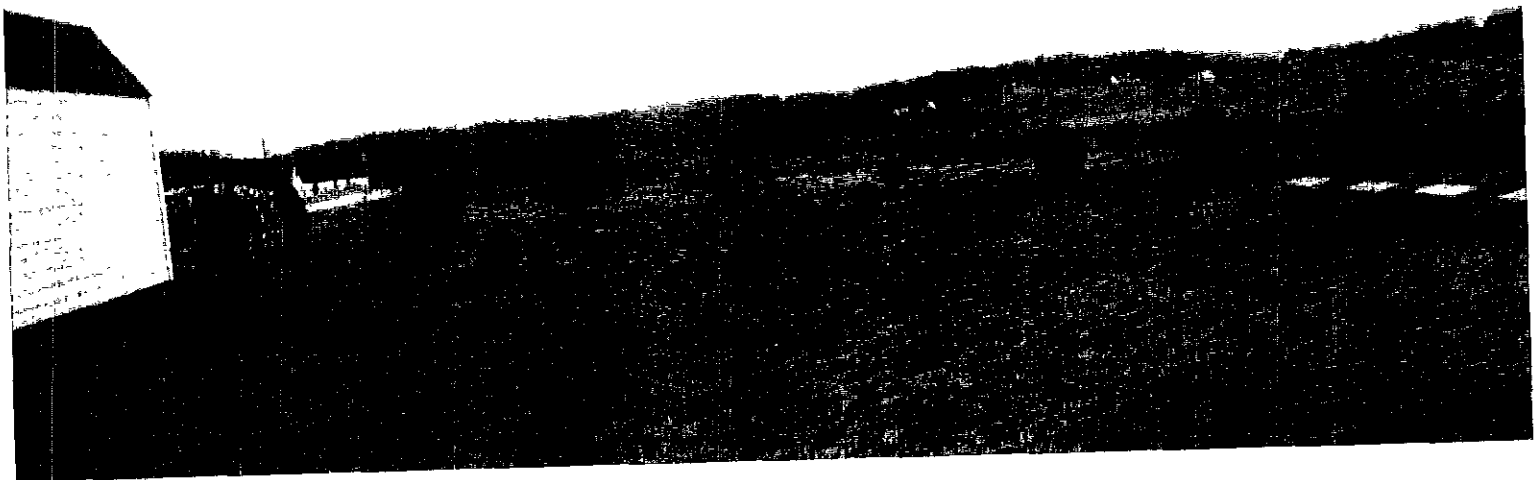
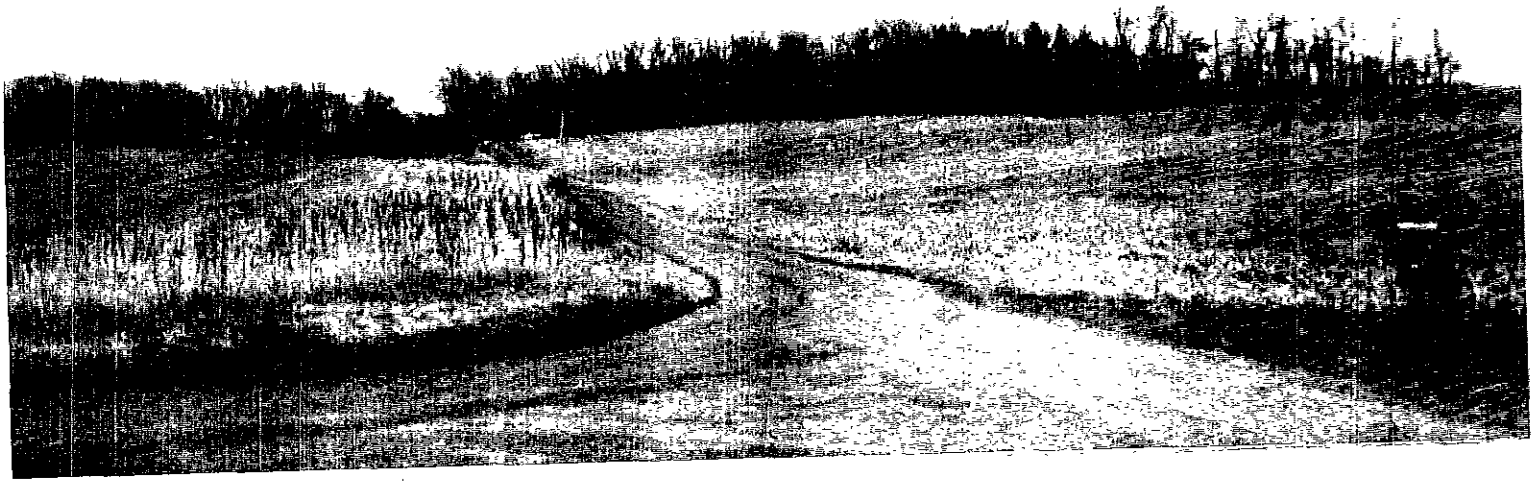


ZONING MAP County Council	SCALE 1" = 200' ±	LOCATION	SHEET
187-92,188-92,189-92 <i>ward IV</i> Council	DATE OF PHOTOGRAPHY JANUARY 1986	NORTHWEST OF ROLLER MICROFILMED	N.W. 38-I









MICROFILMED

97-232-XA

Follow-up
Exhibit 2A -
25

Site Data

Existing Zoning - RC-2 Map NW 30

Gross Acreage - 2.85 Ac. ±

Parking Data

Required: 200 seats @ 1 space / 4 seats = 50 spaces

Proposed: 54 regular spaces

3 handicap spaces

57 spaces total

Floor Area Ratio Calculations:

Total Gross Floor Area = 10,160 SF = 0.233 Ac. ±

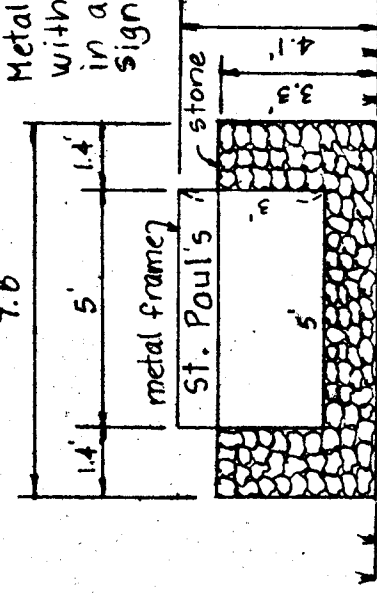
0.233 Ac. / 2.85 Ac. = 0.82 = 8.2%

This site is not in a Residential Transition Area

Existing utility pole, guywire and well pump to be relocated.

Earl A. Gill
9302/109
RC-2

Existing sign is 15' x 4' of
Metal framed plexiglass
with backlighting set
in a stone foundation.
Sign is single faced.



Existing Sign
No Scale

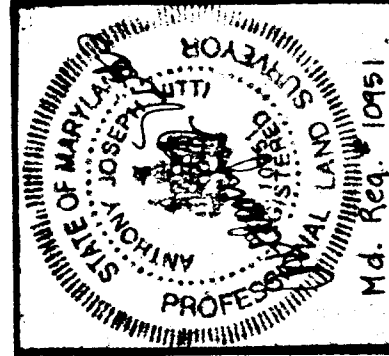
Vitti & Associates, Inc.

Engineering & Surveying

P.O. Box 276

Lutherville, MD 21093

(410) 668-0466



Owner
St. Paul's United Brethren
Church in Christ

5010 St. Paul's Road

Millers, Maryland

21107

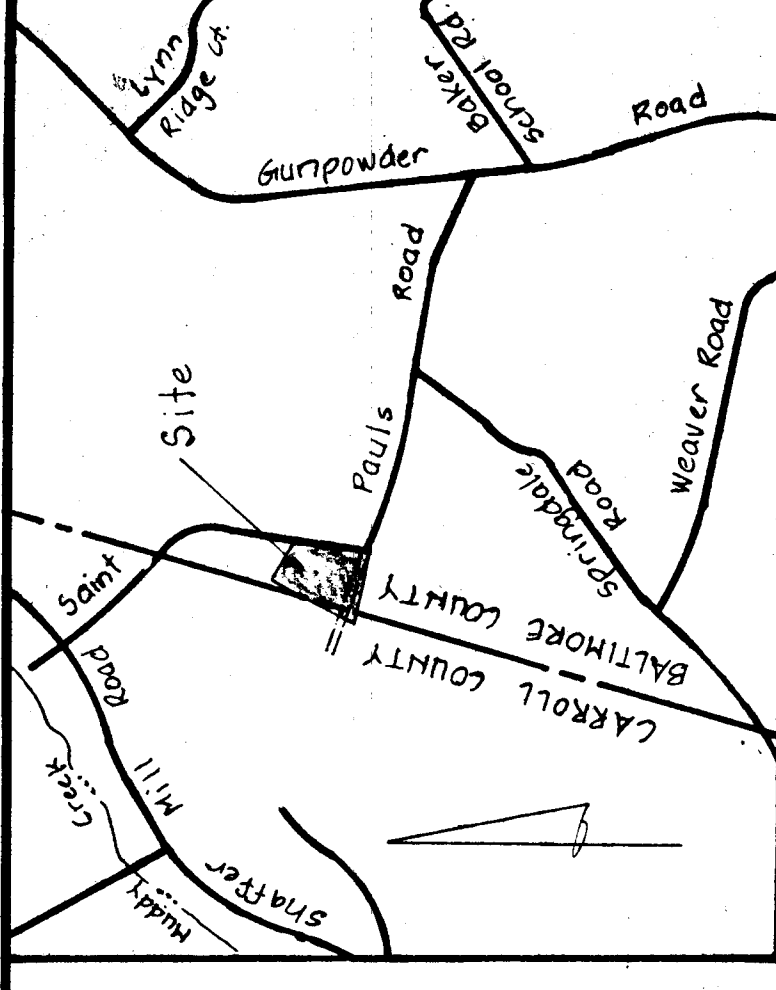
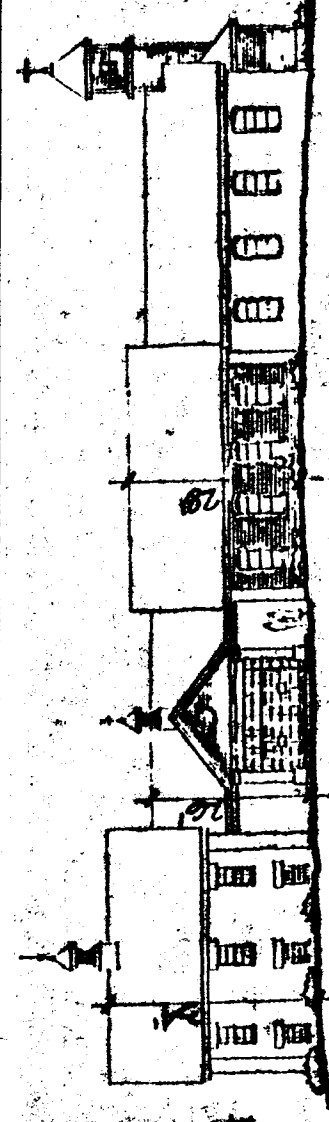
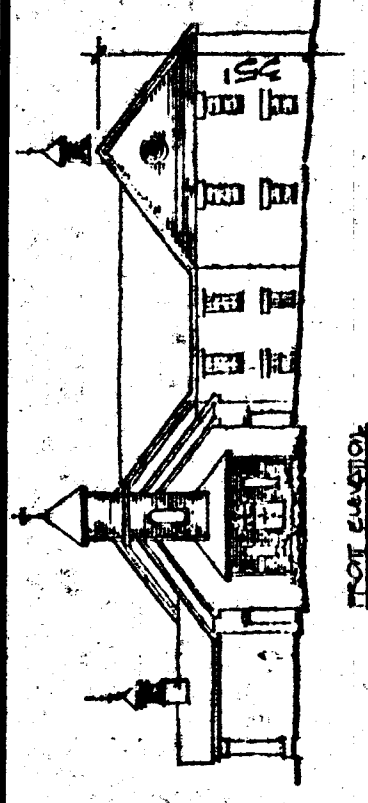
Deed References:

8911/826 and 9370/510

Tax Account Nos.:

06-2200008195 and 2200008496

06-2200013083



Vicinity Map
Scale: 1" = 1000'

H. Wayne Siegmund &
Lydia M. Turk
9341/264
RC-2

#232

Plat to Accompany
Zoning Petition For
Special Exception and
Variance Hearing
For

Saint Paul's

United Brethren Church in Christ

6th Election District Baltimore County, MD

3rd Councilmanic District

November 7, 1996

Scale: 1" = 30'

MICROFILMED.